II. General Remarks Concerning This Response

Claims 11-23 are currently pending in the present application. Claims 11-13 and 16-23 have been amended in this response; no claims have been added; and claims 1-10 have been canceled. Reconsideration of the claims is respectfully requested.

Applicant thanks the examiner for the telephonic interview of January 14, during which primarily independent claim 11 was discussed primarily with respect to Bittinger et al.. While no specific amendments were proposed and no agreement was reached on allowability of the original claims versus the applied prior art, Examiner provided helpful insight to Applicant concerning analogies that Examiner is using to reject the claims.

The Office action objected to the informal drawings; formal drawings are being submitted by mail separately from this response.

The Office action objected to the specification for improper notation of trademarks; a substitute specification is being submitted by mail separately from this response.

The Office action objected to claim 7 based on an informality; claim 7 has been canceled.

The Office action rejected claim 6 as being indefinite; claim 6 has been canceled.

The Office action rejected some of the claims as being indefinite for their use of trademarks; the claims have been amended to delete the references to the trademarks.

III. 35 U.S.C. § 103–Obviousness

The Office action has rejected claims 1, 3-8, 11, 17, 19, and 20 under 35 U.S.C. § 103(a) as unpatentable over Bittinger et al., "Systems, methods, and computer program products for

invoking server applications using tickets registered in client-side remote object registries", U.S. Patent Number 6,453,362 B1, filed 08/12/1998, issued 09/17/2002, in view of Ault et al., "Method and apparatus for providing persistent fault-tolerant proxy login to a web-based distributed file service", U.S. Patent Number 5,974,566, filed 10/07/1997, issued 10/26/1999. Claims 9 and 14 are rejected under 35 U.S.C. § 103(a) as unpatentable over Bittinger et al. in view of Ault et al. and further in view of Itoi et al., "Pluggable Authentication Module for Windows NT", *CITI Technical Report 98-1*, published 04/10/1998. These rejections are respectfully traversed.

With respect to independent claim 11, the rejection relies on Bittinger et al. as teaching a server that authenticates a client that is attempting to access a resource on the server, e.g., a server application; the rejection then relies upon Ault et al. for its teaching with regard to a credential object that is used for accessing a resource. Itoi et al. is used by the rejection to address the feature of a pluggable authentication module. Thus, the rejection relies on Bittinger et al. with respect to disclosing the elements in claim 11 that are directed to transferring information during a login operation.

However, Bittinger et al. is significantly different from the present invention. As shown in login procedure 24 in FIG. 3, the system that is disclosed in Bittinger et al. completely establishes a communication session between the client and the server before the client attempts to perform a login operation through the previously established communication session. The detail for the login procedure is shown in the flowchart of FIG. 4, which illustrates a particular series of steps that are performed before the client is able to use the

communication session for various requests at step 1000, the last step in the flowchart, which would include using the communication session for a login request.

In contrast, the present invention does not establish a communication session between the program that is attempting to authenticate (according to the rejection, analogous to the client in the system of Bittinger et al.) to the trusted login service (according to the rejection, analogous to the server in the system of Bittinger et al.). In the present invention, a unique named pipe is created and used for each unique login request between the program and the trusted login service; the trusted login service does not know of the existence of the named pipe that is to be used to return the login response from the trusted login service to the program until the trusted login service receives from the program a login request which contains an identifier for the named pipe. Since the login request is received on a well-known named pipe, i.e. a named pipe that is known and used by many programs that send login requests to the trusted login service, yet the login response is sent on a different named pipe, the steps of the login operation are intermixed with the steps of the information transfer.

Moreover, Bittinger et al. and the present invention differ with respect to the entity that creates the communication conduit for the login operation response. In the system that is disclosed in Bittinger et al., a server stub is created by the server and passed back to the client; the server stub is then used to transfer the login response from the server to the client. In contrast, the present application discloses that the program creates the named pipe that is to be used during the login response.

More importantly, the system of Bittinger et al. cannot be modified to reach Applicant's claimed invention. For example, in the system of Bittinger et al., it is not possible for the client to create the server stub and then provide the server stub to the server application; the server stub must originate with the server application. If the mechanism of the communication session in the system of Bittinger et al. were modified to operate in some other manner such that the authenticating client were to create a named pipe in a manner similar to the present invention, then the principle of operation for the system of Bittinger et al. would be completely changed, thereby obviating any obviousness argument that may depend upon this type of hypothetical modification to Bittinger et al..

Applicant's argument is supported by the claim language in the independent claims. For example, independent claim 11, as amended, states (emphasis added):

> responsive to a login request, **wherein the login request contains an identifier for a uniquely-named response pipe**, having the trusted login service request a native operating system identifier;
>
> returning to the program **via the uniquely-named response pipe** the native operating system identifier, wherein the uniquely-named response pipe and the named pipe are not identical;

Thus, independent claim 11 has been amended to specifically recite that the login request from the program to the trusted login service contains the information about the named pipe that has been created by the program to be used during the login response; the other independent claims, as amended or introduced, have similar elements.

Certain claim elements of the present application are not disclosed in the applied prior art, as argued above. Moreover, Applicant not only argues that one having ordinary

skill cannot or could not combine the teachings of the applied references to reach the present invention, but Applicant also argues that one having ordinary skill in the art would not have been motivated to combine the teachings of Bittinger et al., Ault et al., and Itoi et al. to reach the invention disclosed in the present patent application. In other words, Applicant asserts that it would not have been obvious to one having ordinary skill in the art to have combined the applied references to reach the present invention.

The examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). Only when a *prima facie* case of obviousness is established does the burden shift to the applicant to produce evidence of nonobviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to the grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 U.S.P.Q. 870, 873 (Fed. Cir. 1985). In response to an assertion of obviousness by the Patent Office, the applicant may attack the Patent Office's *prima facie* determination as improperly made out, present objective evidence tending to support a conclusion of nonobviousness, or both. *In re Fritch*, 972 F.2d 1260, 1265, 23 U.S.P.Q.2d 1780, 1783 (Fed. Cir. 1992).

With respect to the claims, Bittinger et al., Ault et al., and/or Itoi et al., singly or in combination, does not disclose the claimed invention nor provide any suggestion to

motivate one having ordinary skill in the art to modify the prior art to reach the claimed invention. In general, the rejection does not point out the necessary teachings, suggestions, or incentives to reach the claimed invention. Hence, the rejection of the claims does not establish a *prima facie* case of obviousness based on the prior art. Therefore, the rejection of the claims under 35 U.S.C. § 103(a) has been shown to be insupportable, and these claims are patentable over the applied prior art. Applicant requests the withdrawal of the rejection.

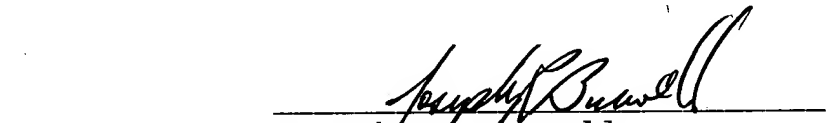
IV. Conclusion

It is respectfully urged that the present application is patentable, and Applicant kindly requests a Notice of Allowance.

For any other outstanding matters or issues, the examiner is urged to call or fax the below-listed telephone numbers to expedite the prosecution and examination of this application.

DATE: January 20, 2004

Respectfully submitted,



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